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*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

AMERICAN CIVIL LIBERTIES UNION

Plaintiffs,

v.

UNITED STATES IMMIGRATION AND  
CUSTOMS ENFORCEMENT; UNITED  
STATES DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

Case No. 4:23-cv-3450

**STIPULATED REQUEST TO MODIFY  
DATE OF HEARING ON CROSS-  
MOTIONS FOR SUMMARY  
JUDGMENT (ECF No. 43)**

**DECLARATION OF MARISOL  
DOMINGUEZ-RUIZ**

**PROPOSED ORDER**

1 Pursuant to Local Rules 6-2 and 7-12, the parties respectfully request a continuance of  
2 the hearing for the Cross-Motions for Summary Judgment set for May 2, 2024, *see* ECF No. 43,  
3 to a later date.

4 On December 18, 2023, the parties jointly submitted a proposed briefing schedule and  
5 hearing on the Cross-Motions for Summary Judgment set for April 25, 2024. *See* ECF No. 31.  
6 On December 19, 2023, the Court granted the parties' proposed briefing schedule but set the  
7 hearing date as May 9, 2024 instead of April 25, 2024. *See* ECF No. 32 at 3. The Court  
8 rescheduled the May 9, 2024 hearing to April 25, 2024. *See* ECF No. 35. On March 1, 2024, the  
9 Court vacated the April 25, 2024 date and continued the hearing to May 2, 2024. *See* ECF No.  
10 43.

11 Plaintiff's counsel is unavailable on the currently scheduled date. The parties have  
12 conferred and are both available on May 9, 2024 for a rescheduled hearing, and accordingly  
13 request that the hearing be continued to that date. Alternatively, the parties are also available  
14 on either May 30, 2024, or June 27, 2024.

15  
16 DATED: April 18, 2024

Respectfully submitted,

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20 By: /s/ Marisol Dominguez-Ruiz

21 MARISOL DOMINGUEZ-RUIZ  
22 KYLE VIRGIEN  
23 EUNICE CHO  
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*Attorneys for Plaintiff*

ISMAIL J. RAMSEY  
United States Attorney  
/s/ David M. DeVito  
DAVID M. DEVITO  
Assistant United States Attorney  
*Attorneys for Defendants*

**ATTESTATION**

In compliance with Civil L.R. 5-1(h)(3), I attest that I have obtained concurrence in the filing of this document from each of the other signatories.

Dated: April 18, 2024

By: /s/ Marisol Dominguez-Ruiz

*ACLU v. U.S. ICE, et al.*, Case No. 4:23-cv-3450  
STIPULATED REQUEST TO MODIFY DATE OF  
HEARING ON CROSS-MOTIONS FOR SUMMARY  
JUDGMENT (ECF No. 43)

**DECLARATION OF MARISOL DOMINGUEZ-RUIZ**

I, MARISOL DOMINGUEZ-RUIZ, declare:

1. I am a staff attorney with the ACLU National Prison Project and submitted the FOIA request at issue to Defendants on March 30, 2023. As such, I have personal knowledge of the following facts and, if called as a witness, I could and would testify competently thereto.

2. Plaintiff filed a Complaint to compel disclosure of the requested materials on July 11, 2023.

3. On December 18, 2023, the parties jointly submitted a proposed briefing schedule, which requested that the Court set the hearing on the Cross-Motions for Summary Judgment on April 25, 2024. *See* ECF No. 31.

4. On December 19, 2023, the Court granted the parties' proposed briefing schedule but set the hearing date on May 9, 2024 instead of April 25, 2024. *See* ECF No. 32 at 3.

5. The Court rescheduled the May 9, 2024 hearing to April 25, 2024. *See* ECF No. 35.

6. On March 1, 2024, the Court vacated the April 25, 2024 date and continued the hearing to May 2, 2024. *See* ECF No. 43.

7. The parties ask the Court to continue the hearing on Cross-Motions for Summary Judgment currently set May 2, 2024. Plaintiff's counsel who will be arguing is currently unavailable due to familial obligations.

8. This continuance will not alter any other deadlines in this case. The only pending motions before the court are the present cross-motions for summary judgment; therefore no other part of the litigation will be delayed. No other deadlines in this case have been set. Defendants are amenable to Plaintiff's request to continue the hearing.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 18, 2024 at Pasadena, California.

By: /s/ Marisol Dominguez-Ruiz  
MARISOL DOMINGUEZ-RUIZ

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STATES DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

Case No. 4:23-cv-3450

**PROPOSED ORDER**

1 PURSUANT TO STIPULATION, IT IS SO ORDERED, that the Cross-Motions for Summary  
2 Judgment hearing is continued to \_\_\_\_\_, 2024.

3 **IT IS SO ORDERED.**

4 DATED: \_\_\_\_\_, 2024.  
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6 \_\_\_\_\_  
7 THE HONORABLE MAGISTRATE JUDGE  
8 DONNA M. RYU  
9 United States Chief Magistrate Judge  
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